

cosides per tablet, corresponding to only 75 percent of the declared amount of digitoxin.

LABEL, IN PART: (Bottle) "Tablets Digitoxin USP 0.2 Mg."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article was a drug, the name of which is recognized in the United States Pharmacopeia, an official compendium, and its strength differed from the official standard. The standard requires that *digitoxin tablets* contain not less than 90 percent of the labeled amount of digitoxin, whereas the article contained not more than 75 percent of the labeled amount of cardioactive glycosides calculated as digitoxin.

Misbranding, Section 502 (a), the label statement "Tablets Digitoxin USP 0.2 Mg." was false and misleading as applied to the article, which contained not more than 75 percent of the declared amount of digitoxin per tablet.

DISPOSITION: March 9, 1954. Default decree of condemnation and destruction.

4354. Adulteration and misbranding of C-Tone. U. S. v. 17 Cases, etc. (F. D. C No. 35417. Sample No. 17646-L.)

LABEL FILED: September 10, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about July 17, 1953, by Byrne Products, Inc., from New York, N. Y.

PRODUCT: 17 cases, each containing 12 bottles, of *C-Tone* at Los Angeles, Calif., together with a number of leaflets entitled "Which Of These Dread Killers Threaten Your Advancing Years?" a number of placards headed "For That Pep of Health Natural C-Tone," and a number of placards entitled "Which of These Conditions Threaten Your Advancing Years?"

Analysis showed that the product contained less than 0.04 milligram of niacin per 4 tablespoons.

LABEL, IN PART: (Bottle) "Rich In Activated Enzymes C-Tone The Natural Vitamin C Tonic * * * Four tablespoons furnish: * * * Natural Niacin . . . 0.08 mg. * * * 8 Fl. Oz. Net."

NATURE OF CHARGE: Adulteration, Section 501 (c) the strength of the article differed from that which it purported and was represented to possess, namely, 0.08 milligram of niacin per 4 tablespoons.

Misbranding, Section 502 (a), the label statement "Four tablespoons furnish: * * * Natural Niacin . . . 0.08 mg." was false and misleading as applied to the article, which contained less than 0.08 milligram of niacin per 4 tablespoons; the label statements "Rich In Activated Enzymes" and "Vitamin C Tonic" were false and misleading since they represented and suggested that the article was of nutritional and therapeutic value because of enzyme content and that it was effective as a tonic, whereas the article was of no value because of its enzyme content and was not a tonic; and certain statements on the above-mentioned leaflets and placards accompanying the article were false and misleading since they represented and suggested that the article was an adequate and effective treatment for high blood pressure, hardening of the arteries, ulcerative colitis, fading strength, nervous exhaustion, failing memory, cerebral rupture, valvular disease of the heart, pulmonary tuberculosis, general weakness, fatigue, headaches, and dizzy spells, and that it was effective to provide energy and improve digestion, whereas the article was not an adequate and effective treatment for such conditions and would not fulfill the promises of benefit stated and implied.

DISPOSITION: May 25, 1954. Byrne Products, Inc., having filed a claim and answer and later having withdrawn such claim and answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

4355. Adulteration and misbranding of rubber prophylactics. U. S. v. 32 Gross * * *. (F. D. C. No. 36229. Sample No. 60129-L.)

LIBEL FILED: January 8, 1954, Northern District of Georgia.

ALLEGED SHIPMENT: On or about October 5, 1953, by the Chemical Latex Exchange, from Philadelphia, Pa.

PRODUCT: 32 gross of *rubber prophylactics* at Atlanta, Ga. Examination of 144 units of the product showed that 8 were dried out and could not be unrolled without damage and were therefore unsuitable for use.

LABEL, IN PART: "Zenith Lubri-Pak."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the label statements "Prophylactic" and "For the prevention of disease" were false and misleading as applied to the article, which was dried out and could not be unrolled without damage.

DISPOSITION: February 3, 1954. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

4356. Misbranding of Gramer's Sulgly-Minol. U. S. v. 21 Bottles * * * (and 1 other seizure action). (F. D. C. Nos. 36215, 36216. Sample Nos. 14749-L, 14750-L.)

LIBELS FILED: January 4, 1954, District of Colorado.

ALLEGED SHIPMENT: During the last 6 months of the year 1953, by Walter W. Gramer, from Minneapolis, Minn.

PRODUCT: 127 bottles of *Gramer's Sulgly-Minol* at Denver, Colo., together with a number of circulars headed "Arthritis Hundreds Claim Its Grip Broken" and "A Light Should Not Be Hidden Testimonials * * * we have received from people who have been relieved from the pains of Arthritis and Rheumatism by using 'Sul-Gly Minol.'"

LABEL, IN PART: (Bottle) "4 Fl. Ozs. Gramer's Sulgly-Minol * * * A solution of Sulphur, Glycerine, Sulphurated Lime and Isopropyl Alcohol 6% * * * For the relief of muscular pains and soreness, add 1 tablespoon to 1 quart of warm water for foot bath, also apply direct to soles of feet. Add one-fourth bottle to tub of water for sulphur tub bath."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned circulars accompanying the article were false and misleading. The statements represented and suggested that the article, diluted with water and used as a foot bath, applied to the soles of the feet, or used as a tub bath, was an adequate and effective treatment for arthritis, pain in the legs, hips, back, and arms, ailments of a rheumatic nature, and stiffness and soreness of legs and knees. The article, when used as directed, was not an ade-

*See also Nos. 4350, 4352-4355.